

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TYROSH BROWN,

Plaintiff,

File No. 1:10-CV-732

v.

HON. ROBERT HOLMES BELL

CITY OF GRAND RAPIDS, et al.,

Defendants.

**ORDER APPROVING AND ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

In accordance with the opinion entered this date,

IT IS HEREBY ORDERED that Defendant Matthew Ungrey's objections (Dkt. No. 28) are **SUSTAINED IN PART** and **OVERRULED IN PART**.

IT IS FURTHER ORDERED that Plaintiff's objections (Dkt. No. 30) are **OVERRULED**.

IT IS FURTHER ORDERED that the August 8, 2011, R&R (Dkt. No. 27) is **APPROVED AND ADOPTED** as the opinion of this Court as clarified in this Court's opinion.

IT IS FURTHER ORDERED that Defendants' motion for judgment on the pleadings (Dkt. No. 21), which was converted by the Court into a motion for summary judgment (Dkt. No. 24), is **GRANTED IN PART** and **DENIED IN PART**. The motion is

GRANTED with respect to all claims other than Plaintiff's claim that Defendant Ungrey used excessive force during the pat-down search after removing Plaintiff from his vehicle.

Dated: September 8, 2011

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE